

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JAMES EBRAHIMI,

Plaintiff,

vs.

WAL-MART STORES, INC., et al.,

Defendants.

Case No. 2:11-cv-01252-JCM-PAL

**ORDER**

(Mtn to Withdraw - Dkt. #10)

This matter is before the court on the Motion to Withdraw as Counsel (Dkt. #10) filed October 31, 2011. Shane Clifford seeks to withdraw as counsel of record for Plaintiff James Ebrahimi. The Motion represents that Plaintiff James Ebrahimi traveled to Iran over the summer, and he has been missing for several months. Counsel has tried to contact Plaintiff at his last known residence, his last known phone number, and a number that he called from in Iran without success. Without client contact, counsel cannot continue to represent Plaintiff. Counsel for Plaintiff reached an agreement with counsel for Defendant to protect the Plaintiff from his failure to provide discovery. Defense counsel has agreed that outstanding interrogatories, requests to produce and requests for admission will not be due until the earlier of 30 days following entry of an order granting this motion or 14 days from the time the Plaintiff renews contact with his counsel. Additionally, defense counsel agreed to vacate the Plaintiff's deposition which was scheduled for November 4, 2011.

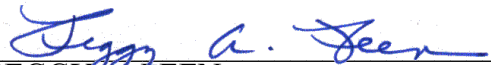
Local Rule IA 10-6 provides that "no withdrawal . . . shall be approved if delay of discovery, the trial or any hearing in the case would result." This case was removed to this court on August 3, 2011. *See* Dkt. #1. There are no other pending motions and a discovery plan and scheduling order has been entered which establishes a January 30, 2012 discovery cut-off.

Having reviewed and considered the matter, and for good cause shown,

**IT IS ORDERED:**

1. The Motion to Withdraw as Counsel (Dkt. #10) is GRANTED.
2. Plaintiff shall have until **December 7, 2011**, in which to retain new counsel who shall file a notice of appearance in accordance with the Local Rules of Practice or to file a statement that he will be proceeding *pro se*.
3. Failure to comply with this order may result in a recommendation to the District Judge for sanctions, including case-dispositive sanctions.
4. The Clerk of Court shall serve a copy of this Order on Plaintiff at:  
1200 Redwood St., Apt #96  
Las Vegas, NV 89146  
and  
8600 Charleston Blvd., Apt. #2099  
Las Vegas, NV 89117

Dated this 7th day of November, 2011.

  
PEGGY A. LEEN  
UNITED STATES MAGISTRATE JUDGE